

Appl. No. 19/Y042,875
Amdt. dated May 9, 2006
Reply to Office Action of February 10, 2006

REMARKS/ARGUMENTS

Claims 85-88 and 91 are pending in this application. Independent claim 85 has been amended to correct a typographical error.

Claims 85-88 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over U.S. Patent No. 5,763,044 issued to Ahr et al. With respect to independent claim 85, it is asserted that Ahr et al. discloses an absorbent web comprising a cellulosic basesheet capable of being used as a component of a personal care article and having a dry feel when wet. The basesheet has an upper surface having elevated and depressed regions and hydrophobic matter preferentially on the elevated regions. It is asserted that it would be obvious to provide the absorbent web of Ahr et al. with the texture of Applicants' claimed webs and, since the structure of the Ahr et al webs are substantially the same as those claimed by Applicants, the webs of Ahr et al. would inherently exhibit the claimed Wet Compressed Bulk.

However, Ahr et al. does not suggest a pad comprising a plurality of wet-resilient wet-laid, textured, through-dried, cellulosic tissue webs as claimed. In contrast, the intended uses of the webs of Ahr et al. are for body-facing liners for absorbent personal care articles such as diapers, sanitary napkins, panty liners, incontinence pads and the like. For such uses, a single web is sufficient and there is no reason or suggestion to combine the webs of Ahr et al. into a pad of a plurality of webs as claimed by Applicants. Furthermore, as discussed below, a collection or plurality of such webs would be useless as an absorbent pad since they wouldn't have the necessary wet resiliency.

In particular, as disclosed in the Abstract of Ahr et al., Ahr et al. is directed to webs that are dispersible and flushable. The incorporation of temporary wet strength resins into the web provides a balance between mechanical integrity and dispersibility during disposal (col. 5, lines 20-32) of the web. Those of ordinary skill in the art would understand that a web having good dispersibility when it is wetted is a feature that is contrary to the desired wet resiliency, as defined by the Wet Compressed Bulk test, of Applicants' invention. More particularly, a web which is intended to lose its wet strength a short time after being wetted as disclosed by Ahr et al. would not have the high Wet Compressed Bulk values claimed by Applicants. In this regard, it should be noted that in Applicants' description of the test method for Wet Compressed Bulk, approximately 3-4 minutes elapse between initial wetting of the test sample and the application of the compressive

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load. This is much, much longer than the time necessary to maintain the integrity of a toilet tissue during use prior to being flushed, which is on the order of a couple seconds. Therefore one of ordinary skill in the art would not expect the tissues of Ahr et al. to have the temporary wet strength sufficient to withstand the time necessary to carry out the Wet Compressed Bulk test.

Furthermore, Ahr et al. teaches a preferred fiber furnish that includes about 90 percent eucalyptus fibers (col. 4, lines 34-44). Eucalyptus fibers are well known in the art as being short in length and useful for softness and flexibility, as opposed to providing wet resiliency as required for Applicants' webs. This actually teaches away from Applicants' claimed webs. There is no suggestion, based on the teachings of Ahr et al., to modify the webs of Ahr et al. to increase their wet resiliency sufficient to achieve the Wet Compressed Bulk levels claimed by Applicants, namely at least about 6 cubic centimeters per gram. Therefore, Appellants believe that independent claim 85 and dependent claims 86-88 are patentable over the Ahr patent.

Claim 91 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ahr et al. in view of U.S. 5,562,645 to Tanzer et al. It is asserted that it would be obvious to provide the webs of Ahr et al. with meltblown material as taught by Tanzer et al. However, without addressing the merits of this combination, claim 91 is believed patentable for the same reasons discussed above with respect to independent claim 85.

It is therefore believed that this application is now in condition for allowance and such action is earnestly solicited.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc.
deposit account number 11-0875.

The undersigned may be reached at: (920) 721-3616.

Respectfully submitted,

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Appl. No. 19/Y042,875
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CERTIFICATE OF TRANSMISSION

I, Judy Garot, hereby certify that on May 9, 2006 this Amendment is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

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